

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

<b>z4 TECHNOLOGIES, INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>CIVIL ACTION NO. 6:06 CV 369 (LED)</b>
<b>NUANCE COMMUNICATIONS, INC.;</b>	)	
<b>QUARK, INC.;</b>	)	<b>JURY</b>
<b>QUARK DISTRIBUTION, INC.; and</b>	)	
<b>ABBYY USA SOFTWARE HOUSE, INC.;</b>	)	
	)	
<b>Defendants.</b>	)	
	)	
	)	
	)	
	)	
	)	

**MOTION TO DISMISS DEFENDANT QUARK, INC.  
AND QUARK DISTRIBUTION, INC.**

WHEREAS, Plaintiff and Defendants Quark, Inc. and Quark Distribution, Inc. (“Quark Entities”) have entered into a Patent License and Settlement Agreement;

NOW, THEREFORE, Plaintiff, through its attorney of record, requests this Court to dismiss the Quark Entities, with prejudice, with all costs taxed against the party incurring same. Plaintiff’s complaint as to all other defendants is not impacted by this motion to dismiss.

By: /s/ John Ward, Jr.  
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*Attorneys for z4*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served by e-mail via the Eastern District of Texas ECF System to all counsel of record on this the 11<sup>th</sup> day of December, 2006.

/s/ John Ward, Jr  
T. John Ward, Jr.